IN THE HIGH COURT OF KERALA AT ERNAKULAM
PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 23RD JULY 2007 / 1ST SRAVANA 1929

RP.No. 615 of 2007

(AGAINST THE JUDGMENT IN OP.7455/2007 Dated 09/04/2007)
.....

REVIEW PETITIONER/PETITIONER:

MANOJ P.M.,
S/O.MADHUSOODHANAN,
PUTHUVALPUTHENVEEDU, MARATHAKKARA POST,
THRISSUR DISTRICT.

BY ADV. SRI.SAIBY JOSE KIDANGOOR
SRI.BENNY ANTONY PAREL

RESPONDENTS/RESPONDENTS:
---

1. THE DISTRICT COLLECTOR,
THRISSUR.

2. REVENUE DIVISIONAL OFFICER,
THRISSUR.

3. THE GEOLOGIST,
THRISSUR DISTRICT, THRISSUR.

4. RAGHAVAN,
CHERAPARAMBIL HOUSE, PUTHUR P.O.,
THRISSUR DISTRICT.

5. SHAJAN,
VYLOPPILLY HOUSE,
THRIKKOOR P.O., THRISSUR DISTRICT.

BY GOVERNMENT PLEADER SRI.M.R.SABU.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 23/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

S. SIRI JAGAN, J.

R.P.NO.615 of 2007
in
WP(C) NO.7455 of 2007

Dated this the 23rd day of July, 2007

O R D E R

The petitioner in the review petition is the petitioner in the writ petition. He seeks review of the judgment dated 9th April, 2007. The reason stated is that the petitioner could not be present on that date since the petitioner was out of station.

2. I was constrained to pass a judgment only because there was no representation on behalf of the petitioner. Further, I have disposed of the writ petition not for default, but on the basis of the report of the Geologist produced by the learned Government Pleader along with a memo. The counsel for the petitioner would submit that he only received a copy of the memo sans the report stated to have been enclosed herewith. However, such a contention is conspicuously absent in the review petition. In any event, the question as to whether the fifth respondent was in fact conducting mining in

accordance with the permit is a question of fact. The Geologist, who is the appropriate authority to see that the fifth respondent conducts mining in accordance with the permit issued to him, has categorically stated that the fifth respondent is not violating any rules or regulations. That being so, I do not find any ground for reviewing my judgment notwithstanding the fact that the petitioner's counsel was not present on the date of hearing.

The Review Petition is dismissed.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007